



*Office of the United States Attorney
District of Arizona*

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MEXICAN MAN SENTENCED TO 10 YEARS IN PRISON FOR FIRING WEAPON AT BORDER PATROL AGENT

TUCSON, Ariz. – Herminio Mireles-Sanchez, 28, of Mexico City, Mexico, was sentenced here by U.S. District Judge Cindy K. Jorgenson to 120 months in prison to be followed by five years of supervised release. Mireles-Sanchez pleaded guilty on September 6, 2005 to Discharging a Firearm During and in Relation to a Drug Trafficking Offense.

While responding to a call for aid in a remote area of the desert on the Tohono O'Odham Indian Reservation on July 14, 2004, Border Patrol Agent Erasmo Rodriguez III, detailed to Arizona from his duty station in Texas, was notified of a pick-up truck in the area which appeared to contain bundles of marijuana. Agent Rodriguez followed the vehicle for a short distance and observed that Mireles-Sanchez leaned out of the front passenger side of the vehicle and fired five to six rounds from a handgun in the agent's direction. Neither the agent nor his marked Border Patrol vehicle were hit.

After calling for back-up, Rodriguez and other agents pursued the vehicle and found it abandoned a short distance away loaded with over 490 pounds of marijuana. With the aid of additional Border Patrol agents, including helicopters and a canine unit, Mireles-Sanchez was found hiding in a wash and was arrested. The driver and another occupant from the vehicle were also arrested. Mireles-Sanchez admitted to his involvement in smuggling the marijuana, his illegal presence in the U.S. and to being the individual who had fired the weapon. He later explained that he had done so in an effort to scare the Border Patrol agent.

At sentencing on Tuesday, Judge Jorgenson made a specific finding that Agent Rodriguez was a victim and allowed him to address the Court. Agent Rodriguez explained the emotional effect that being fired upon continues to have on both him and his family.

The investigation in this case was conducted by U.S. Border Patrol, the FBI and the Tohono O'Odham Police Department. The prosecution was handled by Judson T. Mihok, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

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